

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

FLATHEAD WARMING CENTER,

Plaintiff,

v.

CITY OF KALISPELL,

Defendant.

CV 24-141-M-DLC

ORDER

Plaintiff Flathead Warming Center filed a proof of service on October 16, 2024. (Doc. 18.) The Court has reviewed the briefing on the pending motion for temporary restraining order (Docs. 5, 14, 15) and the parties' respective notices (Docs. 20, 21). Importantly, Flathead Warming Center has indicated that a motion for preliminary injunction is forthcoming, but the motion has not yet been filed. (Doc. 5 at 2.). The Court views the status of the pleadings and the parties' submittals regarding expected testimony as being more consistent with a motion for preliminary injunction than a temporary restraining order. Accordingly, absent objection from the parties, the hearing set for October 25, 2024, will proceed as a preliminary injunction hearing.

IT IS ORDERED that each party will have 3 hours for witness examination and 30 minutes for argument.

DATED this 21st day of October, 2024.



Dana L. Christensen  
Dana L. Christensen, District Judge  
United States District Court